



GUIDELINES

Home Education Documentation: Legal Name Requirements

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1 Purpose

These Guidelines explain how and when legal names and preferred names are used for children and young people in documents and communications relating to the home education registration process.

2 Guidelines

We respect every child's identity and aim to use the name they feel most comfortable with. We also recognise that diverse family identities and circumstances exist within our community.

However, we are also required to meet legal and administrative obligations in the home education registration process.

2.1 Key terms

- **Legal name (includes given and surname):** This is the name recorded on the child's Birth Certificate or on a Change of Name Certificate issued by an official authority such as Births, Deaths and Marriages, Tasmania (or similar in other jurisdictions).

This name may also appear on other official documents accepted for identification purposes in the home education process, including a passport, visa, or Australian Medicare card. These documents require formal identification by government authorities prior to being issued, which supports their validity for confirming a legal name.

- **Preferred name:** This is the name the child or young person wishes to be known by, which may differ from their legal name.

2.2 Names in OER documentation and communication

a) Formal documents

When preparing documents that support or communicate decisions made under the *Education Act 2016*, the child's **legal name**, including both **given name and surname**, must be used. The **preferred name** will be included in brackets to acknowledge the child's chosen identity. For example:

- preferred name Emily (Millie) Smith, Emily (Declan) Smith, Michael (Michelle) Smith
- preferred surname Emily Smith (Parker), Emily Smith (Smith-Parker)

b) Informal communication

We will use the child's **preferred name** in conversations, emails, some documentation or other informal or day-to-day interactions unless otherwise instructed by the parent.

2.3 Names in documents prepared by the OER

Document or communication from the OER	Formal Legal Name	Informal Preferred Name
Communications such as emails to schedule registration visits or general queries about the home education program.		✓
Provisional registration letter	✓	
Email confirmation and booking of registration visit		✓
Email notification of registration approval		✓
Certificates including <ul style="list-style-type: none"> • Certificate of registration • Certificate of home education completion • Year 10 transition statement • Year 12 equivalent certificate <p><i>Where a child uses a preferred name, the OER will issue two certificates:</i></p> <ul style="list-style-type: none"> • One certificate displaying the child's legal name • A second certificate displaying the preferred name only. <p><i>This approach recognises the importance of identity and acknowledges that the certificate may hold personal significance for the child.</i></p>	✓	✓
Registration report <i>The child's legal name will appear on the first page, with the preferred name noted in brackets. The preferred name will be used throughout the remainder of the report.</i>	✓	
Home education registration card		✓
Email request for registration renewal		✓
Decisions associated with the: <ul style="list-style-type: none"> • revocation of a home education registration • refusal to approve a proposed home education program 	✓	
Letters provided for Services Australia and other Government departments	✓	
Letters supporting an education exemption	✓	
Correspondence to entities where information is required to be shared by law	✓	

2.4 Names in documents prepared by parents

Document or communication	Formal Legal Name	Informal Preferred Name
General enquiries, questions or informal responses to OER communications		✓
Home education application form <i>The application form contains fields to include both legal and preferred names.</i>	✓	
Home Education Program (HEP) or Home Education Summary and Program (HESP) <i>The child's legal name must be on the front of the document. The preferred name may be used throughout the HEP or HESP. It should be clear who the home education program has been prepared for.</i>	✓	✓

2.5 Name changes of child

If a child wishes to be known by a name that is different from their legal name:

- Their legal name can be updated if a certified copy of legal documents (such as a birth certificate or a name change certificate) is provided to our office.
- If there is no legal evidence of a name change, we may use the preferred name in informal communications, but the legal name must still be used in official documents, with the preferred name displayed in brackets.

2.6 Name changes of a registered home educator

The name of the registered home educator is recorded on the child's registration certificate and maintained in the *Register of Home Educators and Approved Home Education Programs*, required under section 225 of the *Education Act 2016*:

The Register must include, in relation to each approved home education program:

(a) details of each parent who is a home educator under that program;

(b) details of the child in respect of whom the parent is a home educator;

If a registered home educator wishes to change their name after initial registration, evidence of the name change may be requested by the OER.

If we are required by law to share information about a registered child, we may need to update the home educator's name in our records and add a note to reflect the change. This helps ensure accurate identification of the child.

2.7 Roles and responsibilities

c) Administration staff (OER)

- Communicate with families in a respectful and supportive manner regarding name use and documentation requirements.
- Ensure that legal and preferred names are used appropriately in all documents and communications, in accordance with these guidelines.
- Support families by clearly explaining how name changes are managed and what documentation is required.
- Maintain accurate records in the *Register of Home Educators and Approved Home Education Programs*.
- Update records promptly when valid evidence of a name change is provided.

d) Registration officer

- Use the child's preferred name during visits and informal communication, while ensuring legal names are used in official documents as required.

e) Home educator

- Inform the OER if the child uses a preferred name and/or gender identity or expression, including pronouns.
- Notify the OER of any legal name changes for the child or themselves and provide appropriate supporting documentation as relevant.

3 Definitions

Child or **young person** means a person who has not yet attained the age of 18 years.

Home education means the education of a school-aged child or youth by a home educator in accordance with an approved home education program.

Home educator means a parent named in an approved home education program as a parent who provides home education to their child under that program.

4 Related policies

- Nil

5 Related procedures

- Nil

6 Supporting information/tools

- Nil

7 Legislation

[Education Act 2016](#) (Tas) which sets out the legislative framework for the registration and monitoring of home education in Tasmania.

The [Anti-Discrimination Act 1998](#) (Tas) which prohibits discrimination, incitement to hatred and offensive conduct on the basis of sexual orientation, gender identity, intersex status and relationship status.

The amendments to the [Births, Deaths and Marriages Registration Act 1999](#) (Tas) gender reforms that legally recognise the gender identities of trans and gender diverse Tasmanians.

8 Authorisation

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